

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
BEAUFORT DIVISION

SHEILA BELL and JOSHUA BELL,

Plaintiffs,

Civil Action No.: 9:25-cv-4788-RMG

State Court C/A No.: 2025-CP-00159

v.

**NOTICE OF REMOVAL**

SANTHAN MANTHIRI and 9121-5848  
QUEBEC INC, d/b/a ADVANCE FREIGHT  
SERVICES,

Defendants.

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PLEASE TAKE NOTICE that Defendants Santhan Manthiri and 9121-5848 Quebec Inc., d/b/a Advance Freight Services (hereinafter “Defendants” or “these Defendants”) hereby files a Notice of Removal of the above-entitled action from the County of Hampton, State of South Carolina to the District Court of the United States for the District of South Carolina, Beaufort Division.

1. A civil action has been commenced and is now pending in the Court of Common Pleas for Hampton County in the State of South Carolina, Sheila Bell and Joshua Bell, Plaintiffs, vs. Santhan Manthiri and 9121-5848 Quebec Inc., d/b/a Advance Freight Services, Defendants, Case No. 2025-CP-25-00159. The Summons and Complaint is attached hereto as Exhibit “A”.

2. Plaintiff initiated the above-entitled action against Defendants by service of the Summons and Complaint on or about May 1, 2025, proof of which is attached hereto as Exhibit “B”.

3. Pursuant to 28 U.S.C. §§ 1332 and 1367, there is complete diversity between the parties, and upon information and belief, the amount in controversy exceeds the sum or value of \$75,000, exclusive of interests and costs.

4. This Notice of Removal is filed timely. Pursuant to 28 U.S.C. § 1446(b), the notice is filed within thirty (30) days of receipt by these Defendants of the initial pleading setting for the claim for relief upon which such action or proceeding is based.

**DIVERSITY OF CITIZENSHIP**

5. At the time of the commencement of this action, Plaintiff Shelia Bell and Plaintiff Joshua Bell ere and still are citizens of as state other than the State of South Carolina (Complaint, ¶1). For the purposes of determine the existence of diversity jurisdiction, the “domicile of a party is determined as of the date the action is commenced.” *Herriford v. American Motors Sales Corp.*, 471 F. Supp. 328, 334 (D.S.C.1979).

6. Defendant Santhan Manthiri is a citizen of the country of Canada (Complaint, ¶2).

7. Defendant 9121-5848 Quebec Inc., d/b/a Advance Freight Services is now and at all relevant times, a corporation organized and existing under the laws of Canada and having its principal place of business in the province of Quebec, Canada.

8. Accordingly, Plaintiff and Defendants are citizens of different states/countries and complete diversity exists as established by 28 U.S.C. § 1332(a)(1).

**THE AMOUNT IN CONTROVERSY EXCEEDS \$75,000**

9. In Plaintiffs’ Complaint, they state claims for damages regarding medical expenses, personal property, and pain and suffering. (Complaint ¶¶ 27-28).

10. Plaintiffs allege Defendants were careless, negligent, grossly negligent, willful, or wanton. (Complaint ¶27). Plaintiffs alleges they are entitled to judgment against the Defendants for actual and punitive damages. (Complaint ¶¶ 29, 40).

11. “When a specific amount is not specific in the complaint, ‘[t]he object which is sought to be accomplished by the plaintiff may be looked to in determining the value of the matter

in controversy.” *Brailsford v. Fresenius Med. Ctr. Cna Kidney Ctrs. LLC*, No. 2:15-cv-04012-DCN, (D. S.C. 2017) (citing *Cannon v. United Ins. Co.*, 352 F. Supp. 1212, 1217 (D.S.C. 1973)). “Punitive damages ‘must be included in the calculation of the amount in controversy.’” *Id.* at \*8 (citing *Am. Health & Life Ins. Co. v. Heyward*, 272 F. Supp. 2d 578, 581 (D.S.C. 2003)).

12. Based upon Plaintiffs’ allegations and pre-suit demand, the amount in controversy in this action, exclusive of interests and costs, is likely to exceed \$75,000, the requisite amount in controversy for purposes of diversity jurisdiction under 28 U.S.C. § 1332(a).

**ALL OTHER REMOVAL REQUIREMENTS HAVE BEEN SATISFIED**

13. A copy of this Notice of Removal is being served on all adverse parties and filed with the Clerk of Court, Hampton County Courthouse, where this case was originally filed.

14. The prerequisites for removal under 28 U.S.C. § 1441 have been met.

15. The allegations of this Notice are true and correct and within the jurisdiction of this Court, and this cause is removable to this Court.

16. Defendants file herewith as Exhibit “A” copies of all process, pleadings, and orders served upon it in this action as part of this Notice.

17. If any question arises as to the propriety of the removal of this action, Defendants respectfully requests the opportunity to present a brief and oral argument in support of the position that this case is removable.

WHEREFORE, Defendants respectfully requests that the action now pending in the State of South Carolina, County of Hampton, Court of Common Pleas, as Case No. 2025-CP-25-00159, proceed before this Court as an action properly removed.

WILLSON JONES CARTER & BAXLEY, P.A.

s/ Dana Maurizio Klingener

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**ATTORNEYS FOR DEFENDANTS**

May 30, 2025

North Charleston, South Carolina